

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANNY MANZANARES,

Plaintiff,

vs.

No. CIV 05-00095 JP/LFG

**SEAN HIGDON, an Officer of the
Albuquerque Police Department,
Individually,**

Defendant.

**UNOPPOSED THIRD MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF'S MOTION TO TAX COSTS AND
MOTION FOR ATTORNEYS' FEES AND EXPENSES**

COMES NOW Defendant Sean Higdon, by through his counsel of record, Kathryn Levy, Deputy City Attorney, and hereby requests this Court for an extension of time to file the responses to Plaintiff's Motion to Tax Costs [Docket No. 166] and Plaintiff's Motion for Attorneys' Fees and Expenses [Docket No. 169]. As grounds in support of this motion, Defendant states that the parties are attempting to resolve the issues which are the subject of the pending motions and will know by April 2, 2010 whether they will be able to do so without intervention by the Court. In the event the parties cannot resolve the outstanding issues, Defendant's responses will be filed on or before April 2, 2010 and no further extensions will be sought.

WHEREFORE, Defendant respectfully requests a final extension until April 2, 2010 to file the responses to Plaintiff's Motion to Tax Costs and Plaintiff's Motion for

Attorneys' Fees and Expenses or to advise the Court that the matters have been resolved by and between the parties.

Respectfully submitted,

CITY OF ALBUQUERQUE

Robert M. White
Acting City Attorney

/s/ Kathryn Levy

Kathryn Levy
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I HEREBY CERTIFY that on this 25th day of March, 2010, the foregoing was served via electronic filing to :

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/s/ Kathryn Levy
Kathryn Levy